

JUL 1 2004 12:35PM

CALFEE HALTER GRISWOLD

NO. 9939 P. 1/11



CALFEE, HALTER & GRISWOLD LLP

July 1, 2004

TO: U.S. Patent and Trademark Office
FAX NUMBER: 703-872-9306
SEND ONLY TO THE ABOVE FAX NUMBER:

CONFIRMATION
PHONE NUMBER:

RECEIVED
CENTRAL FAX CENTER

JUL 01 2004

FROM: Kristin J. Frost, Esq.
DIRECT DIAL PHONE NUMBER: 216-622-8895

OFFICIAL

CLIENT NO.: 22727

MATTER NO.: 04124

CLIENT NAME: Ohio State Univ.

NUMBER OF PAGES (including this page): 11

MESSAGE:

Re: Patent Office Filing for
U.S. Patent Application Serial No. 10/634,463

(DXN5080.DOC-1)

This facsimile transmission contains confidential and/or legally privileged information from the law firm of Calfee, Halter & Griswold LLP intended only for the use of the individual(s) named on the transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.

If there is a problem with this transmission, please contact the Fax Department at: 216/622-8426, 216/622-8428, or 216/622-8522. Facsimiles can be received 24 hours per day, 7 days each week at 216/241-0816. Thank you.

Fax Operator's Initials:

Sent By: Sam
Time: 12:35

Logged By: _____
Time: _____

1400 McDonald Investment Center • 800 Superior Avenue • Cleveland, Ohio 44114-2688 • 216/622-8200
Cleveland Fax Number • 216/241-0816

1650 Fifth Third Center • 21 East State Street • Columbus, Ohio 43215-4243 • 614/621-1500
Columbus Fax Number • 614/621-0010

JUL 1 2004 12:35PM

CALFEE HALTER GRISWOLD

NO. 9939 P. 2/11

Please type a plus sign (+) inside this box →

+

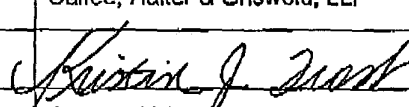
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

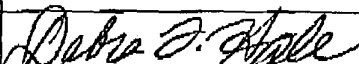
| | | | |
|---|----------------------|------------------------|-------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/634,463 | |
| | Filing Date | August 4, 2003 | |
| | First Named Inventor | Brueggemeier et al. | |
| | Group Art Unit | 1632 | |
| | Examiner Name | Not yet assigned | |
| Total Number of Pages in This Submission | 11 | Attorney Docket Number | 22727/04124 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) - Three cited references |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------------|---|--------------------|
| Firm Or Individual name | Calfée, Halter & Griswold, LLP | |
| Signature |  | Customer No. 24024 |
| Date | July 1, 2004 | |

CERTIFICATE OF MAILING/FACSIMILE

| | | | |
|--|---|------|--------------|
| I hereby certify that this correspondence is being transmitted via facsimile or deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | | | |
| Typed or printed name | Debra L. Hale | | |
| Signature |  | Date | July 1, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant

PTO/SB/08B (02-03)

Approved for use through 04/30/2003. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-------------------------------|
| Application Number | 10/634,463 |
| Filing Date | August 4, 2003 |
| First Named Inventor | Robert W. Brueggemeier et al. |
| Art Unit | 1632 |
| Examiner Name | Not yet assigned |
| Attorney Docket Number | 22727/04124 |

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| | | KIM, YOUNG-WOO et al., "Synthesis and Estrogen Receptor Binding Affinities of 7-Hydroxy-3-(4-hydroxyphenyl)-4H-1-benzopyran-4-ones Containing a Basic Side Chain," Science Direct, Bioorganic & Medicinal Chemistry Letters 13 (2003) 1475-1478. | |
| | | KIM, YOUNG-WOO et al., "Novel 2-arythioisoflavones as potential therapeutic agents for hormone-dependent breast cancer," Nat'l. American Chemical Society Meeting, Aug. 18-22-2002 in Boston, MA. | |
| | | International Search Report from corresponding appln. no. PCT/US03/24520, June 21, 2004. | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.